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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,003	12/11/2000	Douglas Alexander	10541-56	3394
29074	7590	04/04/2005	EXAMINER	
VISTEON C/O BRINKS HOFER GILSON & LIONE PO BOX 10395 CHICAGO, IL 60610			DU, THUAN N	
			ART UNIT	PAPER NUMBER
			2116	

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/735,003

Applicant(s)

ALEXANDER ET AL.

Examiner

Thuan N. Du

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-29 is/are allowed.
- 6) ☒ Claim(s) 30-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-31 are presented for examination.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. The rejections are respectfully maintained and reproduced infra for applicant's convenience.

#### ***Claim Rejections - 35 USC § 103***

4. Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosaka et al. [Hosaka] (U.S. Patent No. 5,146,601).
5. Regarding claim 30, Hosaka teaches a method of detecting a fault of a main application processor (CPU 101) comprising the step of removing voltage to the main application processor without a reset attempt if an abnormal operation of the processor is detected (CPU malfunctions) [col. 3, lines 36-39].

One of ordinary skill in the art would have recognized that a malfunctioned CPU is a run away CPU, a CPU that does not response to a command. Placing a CPU in a suspend state is a command to the CPU. If the CPU fails to enter the suspend state, the CPU is malfunction. Therefore, it would have been obvious to one of ordinary skill in the art to cut off the power to the CPU as taught by Hosaka when the CPU fails to enter the suspend state.

6. Regarding claim 31, Official Notice has taken that suspend-to-RAM state is well known in the art according to the Advanced Configuration and Power Interface Specification.

***Allowable Subject Matter***

7. Claims 1-29 are allowed.

***Response to Arguments***

8. Applicant's arguments filed January 10, 2005 have been fully considered but they are not persuasive.

9. In the remarks, applicants argued in substances that a) Hosaka does not teach placing the CPU in a suspend state; b) Turning off power for a malfunction CPU is not disclosure of turning off power for a CPU that fails to enter a suspend state; and c) Hosaka does not teach the removal of power is done without a reset attempt.

a) Examiner agrees with applicant that Hosaka does not explicitly teach placing the CPU in a suspend state. One of ordinary skill in the art would have recognized that a CPU is entering in a suspend state is an operation of the CPU. A CPU fails to enter in a suspend state is a malfunction CPU, an abnormal operation of a CPU. Hosaka teaches that an operation of a CPU is monitored, when the CPU operates abnormally, power supplied to the CPU is removed [col. 3, lines 36-39]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Hosaka, removing power to a malfunction CPU, to any system when the CPU of the system operates abnormally.

b) a CPU is entering in a suspend state is an operation of the CPU. A CPU fails to enter in a suspend state is a malfunction CPU, an abnormal operation of a CPU. Hosaka teaches that an operation of a CPU is monitored, when the CPU operates abnormally, power supplied to

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the CPU is turned off [col. 3, lines 36-39]. Therefore, it would have been obvious to one of ordinary skill in the art to cut off the power to the CPU as taught by Hosaka when the CPU operates abnormally such as fails to enter the suspend state.

c) Hosaka teaches that in an emergency case, the power provided to the CPU is cut off. Hosaka does not disclose that “power is removed only after other attempts to fix the CPU are made” as state by applicant [remarks, p. 2, last paragraph]. One of ordinary skill in the art would have recognized that in case of emergency [emphasis added], the power provided to the CPU should be immediately cut off to prevent further damage to the system. Hosaka may apply error processing program if not in an emergency case. However, in an emergency case, the power is immediately cuts off [col. 3, line 39].

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday and Wednesday-Friday: 9:30 AM - 8:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (571) 272-3670.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (703) 872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).



Thuan N. Du  
March 26, 2005